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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,393	12/12/2003	Eugene Luskin	MS1-1728US	1712
22801	7590	04/29/2008		
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER DIEP, NHON THANH	
			ART UNIT	PAPER NUMBER
			2621	
			MAIL DATE	DELIVERY MODE
			04/29/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/735,393

Applicant(s)

LUSKIN ET AL.

Examiner

Nhon T. Diep

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/12/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date 11/5/2007
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 101

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Regarding to claims 13 and its dependent claims 14-24, claim 13 recites "A computer-readable medium having stored thereon computer executable instructions for performing a computer process...", and, therefore claim 13 does not define any structural and functional interrelationship between the computer program and other claimed elements of a computer which permit the computer program's functionality to be realized as in contrast with a claimed computer-readable medium encoded with a computer program, when executed by the computer..."

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schofield et al (US 6,222,447), in view of Schofield et al (US 2002/0003571 A1).

Schofield discloses rearview vision system with indicia of backup travel comprising the same method comprising: selecting multiple video source views from a plurality of vehicle-mounted video sources (fig. 1, el. 14, 20 and fig. 3) based on detection of a vehicle event (col. 10, ln. 53-56: display only when vehicle is in reverse gear); displaying multiple video source views simultaneously (figs. 3, 6, 8 and 10) as specified in claims 1, 13, 25 and 37; wherein the displaying the multiple video source views according to a presentation mode (fig. 2, el. 20 and col. 3, ln. 51-67) as specified in claims 2, 14, 26 and 38; further comprising detecting the vehicle event (col. 3, ln. 51-67 and col. 10, ln. 53-56) as specified in claims 3, 15, 27 and 39; further comprising associating a plurality of vehicle events with at least one video source view (fig. 3) as specified in claims 4, 16, 28 and 40; further comprising associating a plurality of vehicle events with at least one video presentation mode (fig. 5) as specified in claims 5, 17, 29 and 41; further comprising configuring a data structure on a computer readable medium, the data structure comprising an association between a vehicle event indicator and video source view (figs. 3 and 5) as specified in claims 6, 18, 30 and 42; further comprising configuring a data structure on a computer readable medium, the data structure comprising an association between a vehicle event indicator and a mode of presenting a video source view (fig. 5) as specified in claims 7, 19, 31 and 43; wherein the displaying operation comprises simultaneously displaying two or more video source views (fig. 3) as specified in claims 9, 21, 33 and 45; wherein the vehicle event comprises at least one of: a left turn signal state; a right turn signal state; a left front door open signal state; a left rear door open signal state; a right front door open signal

state; a right rear door open signal state; a headlights signal state; a reverse gear signal state; an obstacle detection signal state; a light sensor state; a temperature sensor state; an audio sensor state (col. 10, ln. 53-56) as specified in claims 10, 22, 34 and 46; wherein the selecting step comprises looking up an event indicator corresponding to the event in a table of video presentation rules (fig. 3: left, right and center portions) as specified in claims 11, 23, 35 and 47; and further comprising configuring presentation rules associating a plurality of event indicators with a plurality of video display modes (fig. 3 and 6) as specified in claims 12, 24, 36 and 48. It is noted the Schofield does not particularly disclose the displaying comprising a full view mode of one of the multiple video source views, and a window within the full view mode containing another of the multiple video source views as specified in claims 1, 14, 25 and 37. Schofield et al teaches the displaying multiple video source views in a picture in a picture format (paragraph 0262). And, therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Schofield by displaying multiple video source views in a picture in picture format as taught by Schofield et al. Doing so would help to allow multiple images to be viewed simultaneously by the driver and/or occupants of the vehicle.

Regarding to claims 8, 20, 32 and 44: As a matter of designer's choice, one of a video source view from the multiple video source views should be displayed all the time or in a default mode to meet the expectation of the vehicle's driver.

Conclusion

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5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. McClintock (US 5,598,208) discloses a video viewing and recording system.

b. McGrew (US 6,505,525) discloses an apparatus and method for inspecting lateral sewer pipes.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ND

/Nhon T Diep/

Primary Examiner, Art Unit 2621